

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION

LUKE WILSON, )  
 )  
 Plaintiff, ) Civil Action No. 5:21-cv-00055  
 )  
 v. ) **ORDER**  
 )  
 THE TOWN OF MOUNT JACKSON, ) By: Hon. Thomas T. Cullen  
 *et al.*, ) United States District Judge  
 )  
 Defendants. )

---

For the reasons stated in the accompanying Memorandum Opinion, Officer Christina Whorton's motion to dismiss (ECF No. 23) is **GRANTED**; Officers Mark Johnson and Robert Young's motion to dismiss (ECF No. 5) is **GRANTED**; Sergeant Keith Cowart's motion for judgment on the pleadings (ECF No. 33) is **GRANTED**; Chief of Police Jeff Sterner's motion to dismiss (ECF No. 9) is **GRANTED**; and the Town of Mount Jackson's motion to dismiss (ECF No. 49) is **GRANTED**. The Town of Mount Jackson's motion to dismiss on behalf of the Mount Jackson Police Department (ECF No. 53) is **DENIED as moot**.

Plaintiff Luke Wilson's claims against Whorton, Johnson, Young, Cowart, and Sterner for false arrest and illegal imprisonment, equal protection, malicious prosecution, and failure to intervene are **DISMISSED WITH PREJUDICE**. Wilson's claim for municipal liability against the Town of Mount Jackson is also **DISMISSED WITH PREJUDICE**. The court declines jurisdiction over all remaining claims pursuant to 28 U.S.C. § 1367.

The clerk is directed to forward a copy of this Order to all parties and counsel of record and strike this case from the court's active docket.

**ENTERED** this 17th day of March, 2022.

*/s/ Thomas T. Cullen*

---

HON. THOMAS T. CULLEN  
UNITED STATES DISTRICT JUDGE